

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 16, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - VAC-12918 - PUBLIC HEARING -**

**APPLICANT/OWNER: DESERT DODGE, INC.**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Vacation shall be the full width of Duneville Street, between Sahara Avenue and Via Olivero Avenue, excepting those portions necessary for a knuckle or other termination acceptable to the City Engineer at the intersection of Via Olivero Avenue and Duneville Street.
2. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an un-maintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application or appropriate drainage easements shall be reserved.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. This shall include returning streetlights to the City of Las Vegas, if any. The roadway intersection at Sahara Avenue shall be reconstructed to commercial driveway standards per Standard Drawing #222a unless no vehicular access is proposed, in which case the intersection shall be removed and replaced with curb, gutter and sidewalk meeting current City Standards. Sidewalk, curb and gutter shall be installed at the intersection of Via Olivero Avenue and Duneville Street to complete a knuckle acceptable to the City Engineer. No vehicular access to Via Olivero Avenue from the vacated area shall be allowed.

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
7. All development shall be in conformance with code requirements and design standards of all City Departments.
8. If the Order of Vacation is not recorded within one year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a petition to vacate a portion of Duneville Street between Sahara Avenue and Via Olivero Avenue.

**EXECUTIVE SUMMARY**

The Department of Public Works supports this Petition for vacation. The proposal will not adversely affect traffic flows as the road to be vacated is currently barricaded at the intersection with Via Olivero Avenue.

**BACKGROUND INFORMATION**

***A) Related Actions***

05/25/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/ng).

***B) Pre-Application Meeting***

A pre-application meeting is not required for a Vacation petition.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for a Vacation petition, nor was one held.

**DETAILS OF APPLICATION REQUEST**

The property is legally described as a portion of the South Half (S½) of the South Half (S½) of the Southwest Quarter (SW¼) of Section 1, Township 21 South, Range 60 East, M.D.M.

**ANALYSIS**

***A) Planning discussion***

When vacated; the street will be utilized by Desert Dodge for future expansion. Details of this expansion are unknown at this time and may require a Site Development Plan Review or other applications. The Planning Department supports the Petition to vacate a portion of Duneville Street between Sahara Avenue and Via Olivero Avenue. The street is currently barricaded at Sahara Avenue and therefore will not adversely affect traffic flow along Sahara.

**B) Public Works discussion**

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform, as the proposal is to vacate the full width of Duneville Street between Sahara Avenue and Via Olivero Avenue.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as the road to be vacated is currently barricaded at the intersection with Via Olivero Avenue. This is a permanent barricade and therefore the road is not utilized as a through street.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of right-of-way to be used for expanding existing auto dealerships.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Although there is not a formal submittal, the intention is to use the area for expansion of existing auto dealerships.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

**PLANNING COMMISSION ACTION**

Condition #4 was changed by PC as shown and the applicant agreed to all conditions.

**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      11

**NOTICES MAILED**      5 by City Clerk

**APPROVALS**      0

**PROTESTS**      0